

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**UNION PACIFIC RAILROAD
COMPANY,**

Plaintiff,

v.

Case No. 08C938

**BRAHM INTERNATIONAL LTD.
Defendant.**

ORDER

After I granted default judgment to plaintiff, plaintiff submitted a bill of costs for \$543.00 under Fed. R. Civ. P. 54(d). The prevailing party is presumed to be entitled to its costs. Gardner v. S. Ry. Sys., 675 F.2d 949, 954 (7th Cir. 1982). Defendant objects, stating that it acted on behalf of a third party and that it is out of business. However, I entered judgment solely against defendant. Upon reviewing the affidavits, I find that costs are appropriate.

Therefore,

IT IS ORDERED that plaintiff may recover as costs \$543.00.

Dated at Milwaukee, Wisconsin, this 26 day of January, 2010.

/s _____
LYNN ADELMAN
District Judge